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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,970	03/25/2002	Tetsuya Suzuka	2001-1851A	8151

513 7590 01/27/2006

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EXAMINER

JONES III, CLYDE H

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 01/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/018,970	Applicant(s) SUZUKA, TETSUYA	
	Examiner Clyde H. Jones III	Art Unit 2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/25/2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-17 and 23-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Young et al. (US 6,498,895 B2).

Regarding claim 1, Young anticipates a program list display device which is installed in a broadcast receiver (211 – fig. 22B) having a video recording and playback function (252) and displays a list of program information for a program selection on a display screen (210), (fig. 1-7; col. 2, lines 35-60; col. 3, lines 15-31) comprising:

a program list display means for displaying the program information for programs scheduled to be broadcast and the program information for past recorded programs as a program list on a single screen (fig. 2, col. 5, lines 38-52, col. 6, lines 9-24; in which a past recorded program “with a solid red background 42” is listed/displayed with future scheduled programs), wherein

the program information comprises one or more program attributes of a channel attribute which shows a channel of the program, a date and hour attribute which shows

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broadcast date and hour of the program, a program name attribute which shows a title of the program (fig. 1-3 & col. 6, lines 25-44; which anticipate program channel, date and hour and title information), a category attribute which shows a category to which the program belongs (NEWS category figs. 1-4 & fig. 16; fig. 14-17 which reads on a category; and reserved, past recorded, and linked title program categories, col. 5, lines 45-64 & fig. 4), and a media attribute which shows a storage medium in which the program is recorded (fig. 13).

Regarding claim 2, Young anticipates wherein the program list display means displays the program information as a program list in a two-dimensional array having a first program attribute arbitrarily selected from the plural program attributes on a first axis and a second program attribute arbitrarily selected from the plural program attributes on a second axis (figs. 1-3).

Regarding claim 3, Young anticipates the program list display means classifies the program information into groups on the basis of a value for a first program attribute arbitrarily selected from the plural program attributes and displays the program information which belong to the respective groups as a program list in a one-dimensional array having a second program attribute arbitrarily selected from the program attribute group on an axis (fig. 4 and fig. 7; fig. 13).

Regarding claim 4, Young anticipates the program list display

means dynamically switches between a case where the program list display means

displays the program information as the program list in the two-dimensional array having the first program attribute arbitrarily selected from the plural program attributes on the first axis and the second program attribute arbitrarily selected from the plural program attributes on the second axis and a case where the program list display means classifies the program information into groups on the basis of the value for the first program attribute arbitrarily selected from the plural program attributes and displays the program information which belong to the respective groups as the program list in the one-dimensional array having the second program attribute arbitrarily selected from the program attribute group on the axis (col. 7, lines 38-59; in which figs. 1-3 switch to figs. 4, 7, or 13).

Regarding claim 5, it is analyzed and rejected the same as claim 2 above.

Regarding claim 6, it is analyzed and rejected the same as claim 3 above.

Regarding claim 7, Young anticipates the program list display means dynamically changes the number of program attributes constituting the program information when the program list is displayed (col. 10, lines 25-47; in which the EPG changes the number of programs and program attributes displayed; and col. 11, lines 50-53 & fig. 20; in which the number of channels (channel attributes) is changed).

Regarding claim 8, Young anticipates when the program list is displayed, the program list display means dynamically change between a case where a title of the program is displayed as the program name attribute for the program to be displayed and a case where a program group is constituted by plural related programs and a name of the program group to which the programs belong is displayed as the program name attribute (fig. 7- fig. 10; col. 7, line 38-col. 8, line 4; in which a user views a screen with a program title and toggles the What's On TV command which displays the program group, e.g., program channel).

Regarding claim 9, Young anticipates a designating means for designating an attribute value of the program attribute constituting the program information, wherein

the program list display means displays programs corresponding to an attribute value of the program attribute designated by the designating means (GUI and remote control 212 – fig. 22B) on the program list, and

the program information comprises one or more program attributes of a channel attribute which shows a channel of the program (fig. 7, fig. 4), a date and hour attribute which shows broadcast date and hour of the program (fig. 4), a day-of-the-week attribute which shows a broadcast day of the week of the program (fig. 4), a time attribute which shows a broadcast time of the program (fig. 4), a program name attribute which shows a title of the program (fig. 4 and fig. 23; col. 6, lines 9-10), and a media attribute which shows a storage medium in which the program is recorded (fig. 13).

Regarding claim 10, Young anticipates the designating means designates attribute values of the day-of-the-week attribute and the time attribute, and the program list display means displays programs having a broadcast day of the week and a broadcast time corresponding to the attribute values of the day-of-the-week attribute and the time attribute which values are designated by the designating means on the program list (fig. 4).

Regarding claim 11, Young anticipates the program list display means displays the program information as a program list in a two-dimensional array having the channel attribute and the date and hour attribute on two axes (figs. 1, 2, 5, 6).

Regarding claim 12, it is analyzed and rejected the same as claim 11 above.

Regarding claim 13, it is analyzed and rejected the same as claim 11 above.

Regarding claim 14, Young anticipates a video recording and playback device which is installed in a broadcast receiver and records and plays back a video signal by employing storage media (252, 232, 210, 220 (and tape) – fig. 22B), comprising:

a video recording state list display means (fig. 13) for dividing a whole storage area held by the storage media into successively accessible storage units (98) for each

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recorded content to perform management thereof and displaying information concerning the storage units as a video recording state list on a display screen (76), wherein

the video recording state list display means displays a first group of storage units in which recorded programs are stored (78), a second group of storage units which is allocated to programs reserved for video recording (92 & 90; which shows information concerning the reserved tapes state and storage units, i.e., time left on program, and a third group of storage units which is unused on a single screen (col. 8, lines 20-54; col. 9, line 54-col. 10, line 7; in which tape position information (94, 96, 80) is indicated for the tape, including recorded, unrecorded/unused/ and actively recording/reserved programs on the tape).

Regarding claim 15, Young anticipates a video recording reservation means for designating an arbitrary storage unit from a storage unit group displayed on the video recording state list, thereby carrying out video recording reservation of the program in the storage unit (fig. 12 & col. 8, lines 13-19; and fig. 23, fig. 5 (46) & col. 5, lines 53-61; and fig. 2 (40) & col. 5, lines 38-41).

Regarding claim 16, Young anticipates the video recording state list display means list-displays information of the storage units for the respective storage media on the video recording state list and also displays program information of the corresponding program with respect to storage units which belong to the first group (78/98) or the second group (94, 96, 80 – fig. 13), and

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the program information comprises one or more program attributes of the program name attribute which shows the title of the program (78 – fig. 13; col. 8, lines 32-43) , and the category attribute which shows the category to which the program belongs (e.g. NEWS category – fig. 13; in which news is a category, fig. 16; col. 9, lines 14-28).

Regarding claim 17, Young anticipates the video recording state list display means dynamically changes the number of the program attributes constituting the program information when the video recording state list is displayed (col. 8, lines 37-39; in which the tape directory is revised/changes or updates program attributes/information).

Regarding claims 23/(16,17), they are analyzed and rejected with respect to claim 1 above.

Regarding claims 24, they are analyzed and rejected with respect to claim 2 above.

Regarding claims 25, they are analyzed and rejected with respect to claim 3 above.

Regarding claims 26, they are analyzed and rejected with respect to claim 4 above.

Regarding claims 27, they are analyzed and rejected with respect to claim 7 above.

Regarding claims 28, they are analyzed and rejected with respect to claim 7 above.

Regarding claims 29, they are analyzed and rejected with respect to claim 8 above.

Regarding claims 30, they are analyzed and rejected with respect to claim 8 above.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Young et al. (US 6,498,895 B2) in view Yuen (US 2003/0012555 A1).

Regarding claim 18, Young discloses displaying a video recording state list (fig. 13) displaying the title of the program as the program name attribute (78), however, Young fails to disclose dynamically changes between a case where the title of the program is displayed as the program name attribute for the program to be displayed and a case where the program group is constituted by plural related programs and the name of the program group to which the programs belong is displayed as the program name attribute.

However in an analogous art, Yuen discloses an EPG display that dynamically changes between a case where the title of the program is displayed as the program name attribute for the program to be displayed and a case where the program group is constituted by plural related programs and the name of the program group to which the programs belong is displayed as the program name attribute (pg. 12, par. 144, lines 9-18 & pg. 13, par. 144, lines 5-7) for the purpose of displaying user desired information (par. 137).

It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the system of Young to include dynamically changes between a case where the title of the program is displayed as the program name attribute for the program to be displayed and a case where the program group is constituted by plural related programs and the name of the program group to which the programs belong is displayed as the program name attribute as taught by Yuen for the increasing user operability by providing multiple listing types in accordance with the

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user's desires for programs on a tape (Yuen - par. 129, lines 1-4; Young - col. 14, lines 44-51 & col. 8, lines 20-31).

Regarding claim 19, it is analyzed and rejected the same as claim 18 above.

5. Claims 20, 21, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Young et al. (US 6,498,895 B2) in view Akamatsu et al. (US 2003/0106071 A1).

Regarding claim 20 Young discloses when a program is reserved for recording on a tape, the scheduled recording time is shown and the positions of programs on a tape are indicated by (80, 04, 06) and the size/position vicinity of the remaining storage unit (tape time remaining 88 shows size and tape position gauge 94/96 shows vicinity) is shown, however, Young fails to specifically disclose the program is reserved for video recording by the video recording reservation means, the video recording state list display means, in which the program group is constituted by the plural related programs, displays the vicinity of the storage unit in which the program which belongs to the same program group as the program reserved for video recording is recorded as a candidate of the storage unit which stores the program reserved for video recording.

In an analogous art, Akamatsu discloses the program is reserved for video recording by the video recording reservation means, the video recording state list

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display means, in which the program group is constituted by the plural related programs, displays the vicinity of the storage unit in which the program which belongs to the same program group as the program reserved for video recording is recorded as a candidate of the storage unit which stores the program reserved for video recording (fig. 30; pg. 12, par. 199, line 7 – par. 200, line 8 and fig. 34 & par. 217, lines 1-4) so that detailed information corresponding to the tape and reserved programs is displayed upon user request (par. 199, lines 7-10).

It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the system of Young to include the program is reserved for video recording by the video recording reservation means, the video recording state list display means, in which the program group is constituted by the plural related programs, displays the vicinity of the storage unit in which the program which belongs to the same program group as the program reserved for video recording is recorded as a candidate of the storage unit which stores the program reserved for video recording as taught by Akamatsu for the added advantage of assuring more positive timer recording reservation and execution of the reservation (Akamatsu - pg. 14, par. 218, lines 1-3).

Regarding claim 21, it is analyzed and rejected the same as claim 20 above.

Regarding claim 22, Young in view of Akamatsu obviate when the program is reserved for video recording by the video recording reservation means, the video recording state list display means, in which the program group constituted by the plural

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related programs, displays the vicinity of the storage unit in which the program which belongs to the same program group as the program to be reserved for video recording is recorded as a candidate of the storage unit which stores the program to be reserved for video recording (Young – col. 5, line 53 – col. 6, line 12; in which linking programs include series programs which are reserved for recording).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clyde H. Jones III whose telephone number is 571-272-5946. The examiner can normally be reached on 9-5:30 p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on 571-272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, appearing to read 'Christopher Grant', is positioned above the printed name.

**CHRISTOPHER GRANT
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600**